



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Eun-kyung Lee et al.

Application No.: 10/758,136

Filing Date: January 16, 2004

Group Art Unit: 2813

Examiner: Laura M Schillinger

Confirmation No.: 5019

Title: METHOD OF MANUFACTURING SILICON OPTOELECTRONIC DEVICE, SILICON OPTOELECTRONIC DEVICE MANUFACTURED BY THE METHOD, AND IMAGE INPUT AND/OR OUTPUT APPARATUS USING THE SILICON OPTOELECTRONIC DEVICE

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are _____

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted _____

on _____
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims		MINUS =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims		MINUS =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

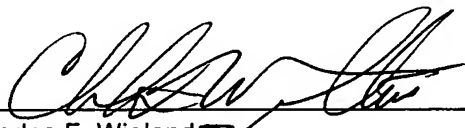
Respectfully submitted,

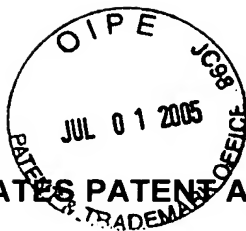
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: July 1, 2005

By


Charles F. Wieland 17
Registration No. 33,096



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MANUFACTURED BY THE
METHOD, AND IMAGE INPUT
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)
)
) Group Art Unit: 2813

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) Examiner: Laura M Schillinger

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully traverse the Restriction Requirement dated June 2, 2005. The Office divides the claims into three groups: Group I, including claims 1-12; Group II, including claims 13-27; and Group III, including claims 28-35. Of Group II, the Office additionally suggested there are three species with Species 1, including claims 13-17, Species 2, including claims 18-22; and Species 3, including claims 23-27.

Device claims of Group II depend from method claims of Group I as product-by-process claims. The generic transitional terms "preparing" and "forming" in claim 1 does not serve to differentiate the method and device claims and Applicants respectfully submit that they are sufficiently related to render the restriction requirement between Groups I and II inappropriate.

With respect to the election of species requirement, Applicants note that claim 13 is generic. The claims are also sufficiently related that a species election should not be necessary but note that if the generic claim is allowed, then the other, non-elected species claims, would be rejoined in the application and examined at that time.

In summary, Applicants submit that at least the restriction between Group I and Group II is improper and should be withdrawn insofar as no substantial burden should be placed upon the Office with concurrent examination of these two sets of claims. For completeness, Applicants elect Group I, with traverse, as noted above. Claim 1 has been amended to eliminate an unnecessary recitation.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 1, 2005

By: 

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